



U.S. Department  
of Transportation  
**Research and  
Special Programs  
Administration**

400 Seventh St., S.W.  
Washington, D.C. 20590

**NOV 7 2001**

DOT-E 11941  
(FIFTH REVISION)

EXPIRATION DATE: October 31, 2003
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(FOR RENEWAL, SEE 49 CFR § 107.109)

1. GRANTEE: Occidental Chemical Corporation  
Deer Park, TX

(See Appendix A of this document for a list of additional grantees)

2. PURPOSE AND LIMITATION:

a. This exemption authorizes the transportation in commerce of certain DOT Class 105 tank cars containing Chlorine, tested using an alternative testing protocol. All tank cars must be converted from the alternative testing protocol specified in this exemption to the qualification procedures of § 180.509 no later than December 31, 2008. This exemption provides no relief from the Hazardous Materials Regulation (HMR) other than as specifically stated herein.

b. The safety analyses performed in development of this exemption only considered the hazards and risks associated with transportation in commerce.

3. REGULATORY SYSTEM AFFECTED: 49 CFR Parts 106, 107 and 171-180.
4. REGULATIONS FROM WHICH EXEMPTED: 49 CFR §§ 179.7, 180.505, and 180.509(1) in that the compliance date was postponed until December 31, 2000, except as specified herein.
5. BASIS: This exemption is based on Occidental Chemical Corporation's application of October 1, 2001, submitted in accordance with § 107.109.

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6. HAZARDOUS MATERIALS (49 CFR § 172.101):

Proper Shipping Name/ Hazardous Materials Description	Hazard Class/ Division	Identi- fication Number	Packing Group
Chlorine	2.3	UN1017	N/A

7. SAFETY CONTROL MEASURES:

a. PACKAGING - Prescribed packagings authorized are DOT Class 105 tank cars operated by an exemption holder (owned or leased). Cars not owned by exemption holders may be retested under the terms of this exemption only after receipt of permission from the car owner.

b. OPERATIONAL CONTROLS - After each time the manway cover has been removed, exposing the tank interior to atmospheric air, and prior to loading product into the tank car, dry air to a dew point of -40°F must be applied to the car.

c. TEST AND INSPECTION - Each tank car operating under the terms of this exemption must be tested and inspected using the following alternative protocol. All of the following tests must be performed at the time of the initial testing under the exemption.

d. Tank car facilities must have a quality assurance program conforming to §§ 179.7 and 180.505; however, AAR approval is not required. All non-destructive examinations of the tank must be done by personnel qualified and certified in accordance with a qualified written procedure. Non-destructive examination personnel must be certified in accordance with a nationally recognized standard, such as ASTM SNT-TC-1A or Appendix T of the Association of American Railroads' Specifications for Tank Cars.

TEST/INSPECTION	REQUIREMENTS (49 CFR)	ACCEPTABLE RESULTS (49 CFR)	TEST INTERVAL (YEARS)
Hydrostatic pressure test	179.100-18(a)	179.100-18(a)	10
Safety system inspections	180.509(h)	180.511(d)	10

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Internal visual inspection	180.509(d)	180.511(a)	5
Thickness test	180.509(f)	180.511(c)	5

8. SPECIAL PROVISIONS:

a. Beginning on December 31, 2000, tank cars operating under the terms of this exemption must be qualified in accordance with § 180.509 at a rate such that 50 percent are qualified no later than December 31, 2004, and the remaining cars are qualified no later than December 31, 2008.

b. No later than October 1 of each year that this exemption remains in effect, each holder of this exemption must furnish a written report to the address below, indicating the total number of tank cars inspected under the terms of this exemption.

Federal Railroad Administration  
Hazardous Materials Division  
RRS-12, Mail Stop 25  
1120 Vermont Avenue, N.W.  
Washington, D.C. 20590  
Attn: James Rader

c. MARKING: Each tank car must be marked "DOT-E 11941" in letters and numerals at least four inches high on a contrasting background above the DOT Specification marking. Each tank car must be marked with the inspection and test due date (calendar year only) in accordance with Appendix C of the AAR Tank Car Manual.

d. The shipping paper entry requirements of § 172.203(a) are waived.

9. MODES OF TRANSPORTATION AUTHORIZED: Rail freight.

10. MODAL REQUIREMENTS: None as a requirement of this exemption.

11. COMPLIANCE: Failure by a person to comply with any of the following may result in suspension or revocation of this exemption and penalties prescribed by the Federal hazardous materials transportation law, 49 U.S.C. 5101 et seq:

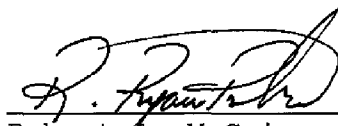
- o All terms and conditions prescribed in this exemption and the Hazardous Materials Regulations, 49 CFR Parts 171-180.
- o Registration required by § 107.601 et seq., when applicable.

Each "Hazmat employee", as defined in § 171.8, who performs a function subject to this exemption must receive training on the requirements and conditions of this exemption in addition to the training required by §§ 172.700 through 172.704.

No person may use or apply this exemption, including display of its number, when the exemption has expired or is otherwise no longer in effect.

12. REPORTING REQUIREMENTS: The carrier is required to report any incident involving loss of packaging contents or packaging failure to the Associate Administrator for Hazardous Materials Safety (AAHMS) as soon as practicable. (Sections 171.15 and 171.16 apply to any activity undertaken under the authority of this exemption.) In addition, the holder(s) of this exemption must inform the AAHMS, in writing, of any incident involving the package and shipments made under the terms of this exemption.

Issued in Washington, D.C.:



*for* Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety

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(DATE)

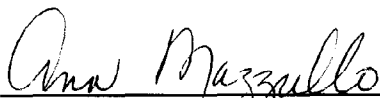
Address all inquiries to: Associate Administrator for Hazardous Materials Safety, Research and Special Programs Administration, Department of Transportation, Washington, D.C. 20590.  
Attention: DHM-31.

The original of this exemption is on file at the above office. Photo reproductions and legible reductions of this exemption are permitted. Any alteration of this exemption is prohibited.

PO: Schoonover/alb

The following are hereby granted party status to this exemption based on their application(s) submitted in accordance with § 107.107 or § 107.109, as appropriate:

Company Name City/State	Application Date	Issue Date	Expiration Date
Arrendadora Nacional de Carros de Ferrocarril S.A. Florida, Mexico (U.S. Agent: Fitts, Roberts & Co. Houston, Texas)	11/30/2001	1/18/2002	10/31/2003
CGTX, Inc. Chicago, IL	10/18/2001	11/7/2001	10/31/2003
DuPont S.A. de C.V. Mexico (U.S. Agent: E. I. Dupont de Nemours & Co. Wilmington, DE)	11/30/2001	12/13/2001	10/31/2003
E.I. DuPont de Nemours & Co., Wilmington, DE	11/30/2001	12/13/2001	10/31/2003
GATX Rail Chicago, IL	7/15/2003	JUL 24 2003	6/30/2005
GATX Rail, Canada Montreal, Quebec, Canada (U.S. Agent: GATX Rail Chicago, IL)	7/15/2003	JUL 24 2003	6/30/2005
Monsanto Company St. Louis, MI	10/16/2001	1/28/2001	10/31/2003
Olin Chlor Alkali Products Cleveland, TN	11/20/2001	1/18/2002	10/31/2003
Union Tank Car Company East Chicago, IN	7/9/2003	JUL 24 2003	6/30/2005



for Robert A. McGuire  
Associate Administrator for  
Hazardous Materials Safety